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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/606,313

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Satoru Wakao

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EXAMINER

BESROUR, SAOUSSEN

ART UNIT

PAPER NUMBER

2131

MAIL DATE

DELIVERY MODE

02/15/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/606,313

Applicant(s)

WAKAO, SATORU

Examiner

SAOUSSEN BESROUR

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1, 3, 4 and 7-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 4 and 7-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/ are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This action is in response to amendment filed 12/17/2007. Claims 1, 3, 4 and 7-11 were amended. Claims 1 and 3-11 are pending.

#### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/17/2007 has been entered.

#### ***Response to Arguments***

3. Applicant's arguments filed 12/17/2007 have been fully considered but they are not persuasive.

Regarding Applicant's argument that the prior art does not teach "that the image server system 107 can authenticate image data generated by another imaging apparatus using authentication data generated by the other imaging apparatus," Examiner respectfully disagrees and would like to point out Column 9, lines 23-37, that disclose "the second alteration detection data is used, which is generated in a device external to the camera ..." (digital signature) which is interpreted as the second authentication data.

Regarding Applicant's argument that the prior art does not teach "first and second authentication mode" Examiner respectfully disagrees, prior art discusses in Column 9, Lines 23-35 that the presence or absence of an image alteration can be detected by adding the information at the time of generating the alteration data for the image data. Which then the Lines 27-28 state the alteration data is generated in a device external to the camera. This is interpreted as the second mode.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1 and 3-11** are rejected under 35 U.S.C. 102(e) as being anticipated by Kondoh et al. (6,968,058).

As per **claim 1**, Kondoh discloses: an image data generating unit which generates first image data; an authentication data generating unit which generates first authentication data; and an authentication unit which has (a) a first authentication mode where said authentication unit authenticates, using the first authentication data, whether or not the first image data has been altered (Column 4, Lines 45-67), and (b) a second

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authentication mode where said authentication unit authenticates, using second authentication data generated by a second imaging apparatus, whether second image data generated by the second imaging apparatus has been altered (Column 9, Lines 23-35, Column 10, Lines 4-67).

As per **claim 3**, rejected as applied to claim 1. Furthermore, Kondoh discloses: authentication data generating unit generates the first authentication data using data unique to the imaging apparatus (Column 12, Lines 14-37 and Column 13, Lines 34-47).

As per **claim 4**, rejected as applied to claim 1. Furthermore, Kondoh discloses: authentication data generating unit generates the first authentication data using secret data held by the imaging apparatus (Column 7, Lines 29-35, Column 9, Lines 30-36).

As per **claim 5**, rejected as applied to claim 1. Furthermore, Kondoh discloses: authentication data generating unit generates the first authentication data using a hash function (Column 7, Lines 29-35, Column 12, Lines 14-37).

As per **claim 6**, rejected as applied to claim 1. Furthermore, Kondoh discloses: said authentication data generating unit generates the first authentication data using a common key cipher (Column 5, Lines 26-45, Column 7, Lines 29-35, Column 12, Lines 14-37).

As per **claim 7**, rejected as applied to claim 1. Furthermore, Kondoh et al. discloses: authentication unit authenticates, using data unique to the second imaging apparatus, whether the second image data generated by the second imaging apparatus has been altered (Column 9, Lines 25-36, Column 10, Lines 4-27).

As per **claim 8**, rejected as applied to claim 1. Furthermore, Kondoh discloses: authentication unit authenticates, using secret data held by the imaging apparatus, whether the second image data generated by the second imaging apparatus has been altered (Column 10, Lines 4-27).

As per **claim 9**, rejected as applied to claim 1. Furthermore, Kondoh discloses: authentication unit authenticates, using a hash function, whether the second image data generated by the second imaging apparatus has been altered (Column 10, Lines 4-27).

As per **claim 10**, rejected as applied to claim 1. Furthermore, Kondoh discloses: authentication unit authenticates, using a common key cipher, whether the second image data generated by the second imaging apparatus has been altered (Column 10, Lines 4-27).

As per **claim 11**, rejected as applied to claim 1. Furthermore, Kondoh discloses: wherein said image apparatus is one of a digital camera, digital video camera, or scanner (Column 4, Lines 46-42).

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAOUSSEN BESROUR whose telephone number is (571)272-6547. The examiner can normally be reached on M-F 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. B./

Examiner, Art Unit 2131

February 13, 2008

  
AYAZ SHEIKH  
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